IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

PUBLIC INTEREST LITIGATION NO. 133 OF 2006

THE GRAMPANCHAYAT SUPANE AND ORS. ... PETITIONERS.

VS.

THE UNION OF INDIA & ORS. ... RESPONDENTS.

MR. SANDEEP GHOGARE I/B. SHRI K.M.JENA FOR THE PETITIONERS.

MR. P.RAJGOPAL I/B. MRS. REKHA RAJGOPAL FOR THE RESPONDENT NO.2.

MR. RAGHUVANSHI ASG WITH MS. NAVINA KUMARI I/B. SHRI G.C.MISHRA FOR RESPONDENT NO.1.

.....

CORAM : J.N.Patel and A.A.Sayed, JJ.

DATE : August 8, 2007.

.....

P.C.

1. Heard the learned Counsel for the parties.

2. Learned Additional Solicitor General apprised us that Article 329 (a) does not permit this Court to interfere in the matter, but fairly concedes that if

there is any error in the procedure, that can be set right.

3. The Petitioner has approached this Court with a grievance that he is a voter from the Assembly Constituency of Supane, Taluka Karad, District -Satara. It is submitted that though there was no proposal on behalf of the Respondent- Election Commission to include village Supane in Assembly Constituency No. 261 i.e. Patan and they were placed in Assembly Constituency at Sr.No.259, Karad South, while issuing the final notification, Petitioners have been shown a part of Assembly Constituency at Sr. No. 261- Patan.

4. The learned Counsel appearing for the State Election Commission submits that this error can be corrected on the Petitioner approaching the Election Commission, as the prescribed procedure will have to be followed in the matter. We accept his statement and dispose of the Petition with a direction to the Petitioner to approach Delimitation Commission of India and make an appropriate representation. The learned Counsel appearing for the Rrespondent-Commission submits that the Commission would take a decision in the matter within a period six weeks from

the date of filing of the representation by the Petitioner.

5. Consequently, the Petition stands disposed of.

.....

[J.N.Patel, J.]

[A.A.Sayed, J.]